

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

North Mill Equipment Finance, LLC, a)
Delaware limited liability company,)

Plaintiff,)

vs.)

Brian Robert Bybee dba 50 Cal Hot Shot,)
Brian Robert Bybee,)

Defendants.)

ORDER

Case No. 1:17-cv-097

Plaintiff initiated the above-entitled action by Complaint on May 12, 2017. The Clerk's office issued summonses that same day. The summonses were returned executed on May 26, 2017. There has since been no apparent activity in this case.

This case has now been languishing on the court's docket for almost 10 months. It is **ORDERED** that plaintiff shall file a report by April 6, 2018, advising the court of the status of this action. Failure to submit a status report to the court may result in the dismissal of this action. See Miller v. Benson, 51 F3d. 166, 168 (8th Cir. 1995) ("District courts have inherent power to dismiss sua sponte a case for failure to prosecute, and we review the exercise of this power for abuse of discretion"); see also Sterling v. United States, 985 F.2d 411, 412 (8th Cir. 1993) (same); Fed. R. Civ. P. 41(b).

Dated this 7th day of March, 2018.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court